

MEMORANDUM

Agenda Item No. 11(A)(9)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

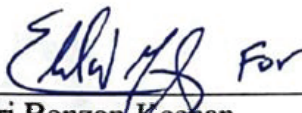
DATE: January 17, 2023

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution declaring certain firefighting equipment surplus; waiving, by a two-thirds vote of Board members present, the procedure for disposition of surplus property; authorizing the donation of firefighting equipment to the Ghana National Fire Service, Accra Regional Command; and authorizing the County Mayor to execute a foreign firefighting entity donation agreement, to exercise any and all other rights conferred therein, and to take any and all actions necessary to effectuate the foregoing

Resolution No. R-42-23

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairman Oliver G. Gilbert, III.



Geri Bonzon-Keenan
County Attorney

GBK/jp



MEMORANDUM

(Revised)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: January 17, 2023

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 11(A)(9)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☒ No committee review
- ☒ Applicable legislation requires more than a majority vote (i.e., 2/3's present ☒, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____ to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(9)
1-17-23

RESOLUTION NO. R-42-23

RESOLUTION DECLARING CERTAIN FIREFIGHTING EQUIPMENT SURPLUS; WAIVING, BY A TWO-THIRDS VOTE OF BOARD MEMBERS PRESENT, THE PROCEDURE FOR DISPOSITION OF SURPLUS PROPERTY; AUTHORIZING THE DONATION OF FIREFIGHTING EQUIPMENT TO THE GHANA NATIONAL FIRE SERVICE, ACCRA REGIONAL COMMAND; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE A FOREIGN FIREFIGHTING ENTITY DONATION AGREEMENT, TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN, AND TO TAKE ANY AND ALL ACTIONS NECESSARY TO EFFECTUATE THE FOREGOING

WHEREAS, the firefighting equipment described in section 1 below was purchased and is currently owned by Miami-Dade County; and

WHEREAS, the firefighting equipment is obsolete and cannot legally be used by another County department, a municipality in Miami-Dade County, or an eligible community based organization; and

WHEREAS, the Board desires to declare the firefighting equipment surplus; and

WHEREAS, section 2-11.2.1(b) of the Code of Miami-Dade County, Florida ("Code"), provides a procedure for the disposition of County surplus property; and

WHEREAS, pursuant to section 2-11.2.1(d) of the Code, the Board may waive such procedure by a two-thirds vote of the members present and may donate surplus firefighting equipment to a foreign governmental entity upon a finding that the property is obsolete and cannot legally be used by another County department, a municipality in Miami-Dade County, or an eligible community based organization; and

WHEREAS, the Ghana National Fire Service, Accra Regional Command (the “Donee”) is a foreign governmental entity and desires to use the firefighting equipment to enhance its ability to provide firefighting training services for the purpose outlined in the attached surplus property allocation application and foreign firefighting entity donation agreement,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. This Board finds that the following firefighting equipment is obsolete and cannot legally be used by another County department, a municipality in Miami-Dade County, or an eligible community based organization:

<u>Description</u>	<u>Condition</u>	<u>Est. Value</u>
30 bunker coats	Obsolete	\$1,950.00
30 bunker pants	Obsolete	\$1,462.50
20 helmets	Obsolete	\$500.00
100 pairs of gloves	Obsolete	\$2,500.00
50 hoods	Obsolete	\$250.00
30 pairs of boots	Obsolete	\$750.00
50 suspenders	Obsolete	\$0.00
30 earflaps	Obsolete	\$60.00
15 goggles	Obsolete	\$45.00
5 HT1250 radios	Obsolete	\$875.00

Section 2. This Board declares such equipment, with the listed residual value and other characteristics, to be surplus pursuant to chapter 274, Florida Statutes, and section 2-11.2.1 of the Code.

Section 3. By a two-thirds vote of members present and pursuant to subsection (d) of section 2-11.2.1 of the Code, this Board authorizes the waiver of the procedure for the disposition of County surplus property set forth in subsection (b) of section 2-11.2.1 of the Code, and hereby donates the equipment set forth in section 1 above to the Donee.

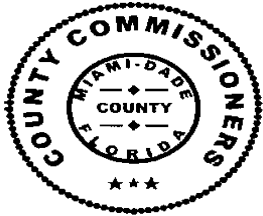
Section 4. The County Mayor or County Mayor's designee is authorized to execute the foreign firefighting entity donation agreement with the Donee in substantially the form attached hereto and incorporated herein by reference and to exercise any and all other rights conferred therein and shall and is hereby directed to take any and all actions necessary to effectuate the intent of this resolution.

Section 5. The Donee shall take possession of the equipment within 90 days of the effective date of this resolution and shall be responsible for any and all costs of transferring the equipment. If, for any reason, the Donee fails to take possession of the equipment within 90 days of the effective date of this resolution, then this resolution shall be null and void, and the ownership rights to the equipment shall revert back to the County.

The Prime Sponsor of the foregoing resolution is Chairman Oliver G. Gilbert, III. It was offered by Commissioner **Raquel Regalado**, who moved its adoption. The motion was seconded by Commissioner **Anthony Rodriguez** and upon being put to a vote, the vote was as follows:

Oliver G. Gilbert, III, Chairman	aye		
Anthony Rodríguez, Vice Chairman	aye		
Marleine Bastien	aye	Juan Carlos Bermudez	aye
Kevin Marino Cabrera	aye	Sen. René García	aye
Roberto J. Gonzalez	aye	Keon Hardemon	absent
Danielle Cohen Higgins	aye	Eileen Higgins	aye
Kionne L. McGhee	aye	Raquel A. Regalado	aye
Micky Steinberg	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 17th day of January, 2023. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.



MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

LUIS G. MONTALDO, CLERK AD INTERIM

By: **Basia Pruna**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in black ink, appearing to read "CJW", is written over a horizontal line.

Christopher J. Wahl

Foreign Firefighting Entity Donation Agreement

This agreement is entered into between Miami-Dade County (hereafter "County") and GHANA NATIONAL FIRE SERVICE ACCRA REGIONAL COMMAND _____ (hereafter "Donee") as follows:

For and in Consideration of the County donating 30-BUNKER COATS, 30- BUNKER PANTS, 20- HELMETS, 100-GLOVES, 50-HOODS, 30-BOOTS 50-SUSPENDERS, 30-EARFLAPS, 15- GOGGLES, 5-HT1250 RADIO (with RSMs, antennas, two batteries each and a single – bay charger for each) __ to Donee, and Donee agreeing to the use and as described herein:

Donee certifies that it is a foreign governmental entity or a foreign not-for-profit organization that provides firefighting services on behalf of a non-communist foreign government.

Donee agrees that it shall utilize the donated surplus property for the intended use specified in section no. 5 of the "Surplus Property Allocation Application", attached hereto (Attachment A). Donee understands that the donated surplus property shall not be used for live fire service and can only be used for training without live fire burns.

Donee agrees that it shall indemnify and hold harmless Miami Dade County, and its officers, employees, agents and instrumentalities et. al. from any and all liability, losses or damages, including attorney's fees and costs of defense, which the County or its officers, employees, agents or instrumentalities may incur as a result of claims, demands, suits, causes of actions or proceedings of any kind or nature arising out of, relating to or resulting from the transfer of ownership, maintenance or use of the donated property or by subsequent acts by the Donee, its agents, employees, et. al., and/or the performance of this Agreement by the Donee or its employees, agents, servants, partners, principals. The Donee shall pay all claims and losses in connection therewith, and shall investigate and defend all claims, suits or actions of any kind or nature in the name of the County, where applicable, including appellate proceedings, and shall pay all costs, judgments, and attorney's fees which may issue thereon.

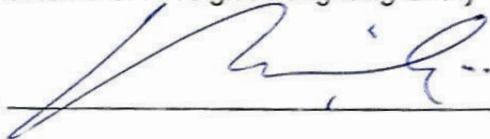
This Agreement is governed by and shall be construed according to the laws of the State of Florida. Donee hereby irrevocably submits in any suit, action or proceeding arising out of or relating to this Agreement or any transaction contemplated hereby to the exclusive jurisdiction of the United States District Court for the Southern District of Florida or if jurisdiction is not available therein, the jurisdiction of any state court in Miami-Dade County, Florida and waives any and all objections to such jurisdiction or venue that it may have under the laws of any state or country, including, without limitation any argument that jurisdiction, suits and/or venue are inconvenience or otherwise improper. Donee further agrees that process shall be served upon it or the County in any manner authorized under the laws of the State of Florida, and waives any objections that it may otherwise have to such process.

"According to section 2-1076 of the Code of Miami-Dade County, Florida, Miami-Dade County has established the Office of the Inspector General which may, on a random basis, perform audits, inspections, and reviews of all County contracts. This audit is separate and apart from any other audit by the County."

GHANA NATIONAL FIRE SERVICE, ACCRA REGIONAL COMMAND

GHANA NATIONAL FIRE SERVICE, ACCRA REGIONAL COMMAND

Print Name of Foreign Firefighting Entity

By: 

Date: 30th November 2022

Signature

Regional Fire Officer
Ghana National Fire Service
Regional HQ. - Greater Accra
REGIONAL FIRE COMMANDER

DCFO NUHU GIBRIL RICHARD
Printed Name

Title

Miami-Dade County:

By: _____

Date: _____

**MIAMI-DADE COUNTY
SURPLUS PROPERTY ALLOCATION APPLICATION**

COUNTY SURPLUS PROPERTY ALLOCATIONS REQUESTED THROUGH THIS PROCESS ARE NOT EFFECTIVE UNTIL APPROVED BY ACTION OF THE BOARD OF COUNTY COMMISSIONERS PURSUANT TO THE MIAMI-DADE COUNTY HOME RULE CHARTER

Please complete and sign the following form and submit it along with requested documents to your sponsoring Commissioner. Once accepted, the sponsoring Commissioner will submit the documents to:

Internal Services Department-Fixed Assets Manager
2225 N. W. 72 Ave
Miami, FL 33122

Phone: (305) 592-3752
Fax: (305) 592-3616

1. Full legal name of the requesting organization: GHANA NATIONAL FIRE SERVICE, ACCRA REGIONAL COMMAND, ACCRA GHANA. WEST AFRICA.
2. Applicant Status: (Select one of the choices below)

☐ Not-For-Profit or Tax Exempt
☐ For-Profit
☐ Other (specify): FOREIGN GOVERNMENTAL ENTITY

☐ Local Government or Public Entity

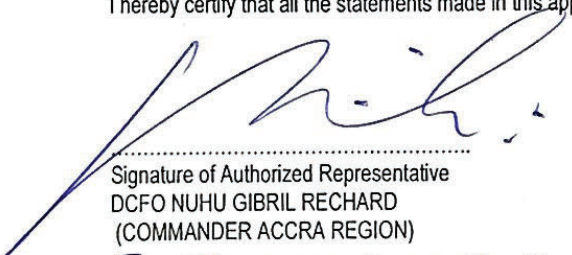
****If Not-For-Profit or Tax Exempt, please attach a copy of letter from Internal Revenue Service designating status under 501c code.**

3. Name and contact information for single point of contact (address, phone, fax, e-mail address, etc.):

DEPUTY CHIEF FIRE OFFICER, RICHARD NUHU GIBRIL ; ACCRA REGIONAL COMMANDER
MOBILE:00233244636699

4. Specify the surplus property requested (quantify, if applicable): 30-BUNKER COATS, 30- BUNKER PANTS, 20-HELMETS, 100-GLOVES, 50-HOODS, 30-BOOTS 50-SUSPENDERS, 30-EARFLAPS, 15-GOGGLES, 5-HT1250 RADIO (with RSMs, antennas, two batteries each and a single – bay charger for each)
5. Specify the purpose for which the surplus property will be used: THE ITEMS IS NEEDED TO UGMENT EXISTING BUT INADEQUATE PERSONAL PROTECTION EQUIPMENT FOR FIRE FIGHTERS IN THE REGION AND ALSO AID TRAINING OF PERSONNEL IN THE REGION. THE STAFF STRENGTH OF THE ACCRA REGIONAL FIRE COMMAND IS 2526. THERE ARE19 FIRE STATIONS AND 5 FIRE POSTS IN THE REGION. EXISTING FIRE EQUIPMENT IS NOT SUFFICIENT TO CATER FOR A LARGE NUMBER OF PERSONNEL IN THE REGION HENCE OUR REQUEST FOR ASSISTANCE.

I hereby certify that all the statements made in this application are true and correct.


Signature of Authorized Representative
DCFO NUHU GIBRIL RECHARD
(COMMANDER ACCRA REGION)

30TH NOVEMBER 2022
Date

**Regional Fire Officer
Ghana National Fire Service
Regional HQ - Greater Accra**

In case of reply the
Number and date of this
Letter should be quoted



TELEPHONES:
0205388644 (WATCHROOM)
0205388648 (UNIVERSITY FIRE STATION)
0205388647 (METROPOLITAN FIRE STATION)
192 (EMERGENCY LINE)

Ghana National Fire Service (Regional Headquarters Sub-Station) P.O.BOX 329, CAPE COAST

Our Ref: No NFS/RHQS/ASST/VOL.I/C.1
YOUR REF: NO.....

Date: 12TH SEPTEMBER, 2022

TO WHOM IT MAY CONCERN

REQUEST FOR TECHNICAL CO-OPERATION ON ASSISTANCE FOR REGIONAL HEADQUARTERS SUB-STATION OF THE GHANA NATIONAL FIRE SERVICE, CAPE COAST – CENTRAL REGION.

Following our discussion on your willingness to support us, I write to solicit for Technical Co-operation assistance in the form of Personal Protective equipment, Emergency Medical Supply Equipment and any additional support to protect our personnel in the line of duty especially operational staff who respond to emergencies in the Central Region.

Below are details of the equipment required:

- 1. FIRST AID/ E.M.T MEDICAL SUPPLY EQUIPMENT.**
- 2. AUTOMATED EXTERNAL DEFIBRILLATOR (AED).**
- 3. PERSONAL PROTECTIVE EQUIPMENT (PPE) FOR FIREFIGHTERS.**
- 4. PERSONAL PROTECTIVE EQUIPMENT (PPE) FOR MEDICS.**
- 5. RADIO AND COMMUNICATION GADGETS ETC.**

Cape Coast Sub-Station is strategically located at the Regional Headquarters of GNFS Cape Coast in the Central Region.

The Emergency Response Team covers all Road Traffic Collision (RTC) and other emergency cases on the Accra-Takoradi Road which is a Trans Ecowas-highway that serve as Ghana's International western Route to La Cote d'Ivoire, Liberia, Sene-Gambia etc. where Cash crops, food crops and other export products are transported.

It also responds to all major Fire and RTC emergencies in the Cape Coast - Mankessim to Accra Road, Elimina, Twifo Praso enclaves which is a herculean task that always require additional and upgraded resources to sustain our efficiency to be ready for all RTC and fire emergencies hence this request. The command's staff strength currently is eighty-seven (87) personnel made up of Firefighters and Rescuers.

We would also appreciate it if we could benefit from any additional collaboration to further enhance our effectiveness.

Submitted for your kind consideration and approval.

We are standing by.

Thank you.

D.O. II SAMUEL SAGOE
DISTRICT FIRE COMMANDER
(SIGNED)